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REPORT OF THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 7 OF RESOLUTION 840 (1993)

1. By paragraph 7 of its resolution 840 (1993) of 15 June 1993, the Security Council requested me to report by the middle of July, including my recommendations on the possible role the United Nations and its agencies might play after the end of the mandate of UNTAC according to the Paris Agreements.

2. The mandate of UNTAC, in accordance with the provision of resolution 745 (1992), extends for a period not to exceed 18 months until the end of the transitional period, that is, until the Constituent Assembly has drafted and approved a Constitution, transformed itself into a legislative assembly and created a new Cambodian Government. According to paragraph 1 of annex 3 to the Paris Agreement, the Constituent Assembly is to perform these tasks within three months from the date of the election, which took place from 23 to 28 May 1993.

I. DEVELOPMENTS SINCE THE ELECTION

3. As described in my last report (S/25913), the election in Cambodia was conducted successfully, with 90 per cent of registered voters taking part in the election in a calm and peaceful atmosphere with minimum disruption. The United Nations, having declared each separate stage of the election process - the campaign, the polling and the counting of ballots - free and fair, endorsed the election results. After some initial dissent (see para. 5 below) the Cambodian political parties which had participated in the process also acknowledged acceptance of the results.

4. The duly elected Constituent Assembly began work on 14 June 1993. On 30 June, the Constituent Assembly elected its President and two Vice-Presidents, and adopted its Rules of Procedure. Two permanent committees were established: the Committee for Drafting the Constitution and the Committee on Rules of Procedure. The elaboration of a draft constitution is now proceeding. At the request of the Cambodian parties, UNTAC has provided logistical and operational assistance, as well as technical advice, to the Assembly.

5. Notwithstanding the successful holding of the election and the creation of a Constituent Assembly, the post-election period has not been without difficulties. The Party of the State of Cambodia (SOC) made numerous allegations of electoral irregularities and initially withheld recognition of the election results, citing those alleged irregularities, although every

concrete allegation was promptly investigated by UNTAC. After the election, some SOC elements declared a short-lived "secession" in three eastern provinces which, however, collapsed after a few days. SOC has now accepted the results of the election. None the less, allegations will continue to be reviewed under the Electoral Advisory Committee established by my Special Representative.

6. The establishment of an Interim Joint Administration (Provisional National Government), with the guidance of His Royal Highness Prince Norodom Sihanouk, has proved to be a stabilizing mechanism in the Cambodian polity. This Administration, with Prince Sihanouk as the Head of State, provides for a cooperative framework between all parties which hold seats in the Constituent Assembly. On 1 July 1993, the Assembly met and gave a vote of confidence to the Interim Joint Administration and unanimously adopted the Programme of Action of the Provisional Government for the Coming Three Months. The composition of the Council of Ministers has been agreed, with His Royal Highness Prince Ranariddh of the Front uni national pour un cambodge indépendant, neutre, pacifique et coopératif (FUNCINPEC) and Mr. Hun Sen of the Cambodian People's Party (CPP) as Co-Chairmen.

7. The Party of Democratic Kampuchea (PDK) has also declared that it will accept the outcome of the election. Although PDK is not a party to the Interim Joint Administration, tentative discussions have taken place between it and the parties participating in the Administration aimed at achieving national reconciliation. At the same time, low-level cease-fire violations and military activities, mainly involving the National Army of Democratic Kampuchea, have continued to occur.

8. The Interim Joint Administration, which will operate during the transitional period, though not foreseen under the Paris Agreements, should be viewed as an attempt to fuse three of the existing administrative structures, and as a manifestation of the common desire for peace, stability and national reconciliation. At the same time, UNTAC, as provided for in the Paris Agreements, continues to cooperate with the Supreme National Council as the unique legitimate body and source of authority in Cambodia throughout the transitional period.

II. UNTAC WITHDRAWAL PLAN

9. Detailed plans have been drawn up for the orderly withdrawal of the Military, Civilian Police and other components of UNTAC, taking due account of the tasks that remain for each of them during the remainder of the transitional period. Due to security considerations, the timing of the withdrawal of the civilian staff from the district and provincial levels is closely coordinated with the military withdrawal plan. All proposals are premised on the assumption that the work of the Constituent Assembly in drafting and adopting the constitution, and the subsequent establishment of a new Cambodian Government, will be expeditiously completed.

10. Civilian withdrawal is easier than military withdrawal for several reasons. In some cases, the civilian tasks have already been completed; the whole of the Repatriation Component and the great majority of the staff of the Electoral Component, for example, have already been withdrawn. Secondly, civilian staff

in the countryside are much fewer in number than the military, and can therefore be withdrawn on an individual basis in a flexible manner.

A. Military Component

11. The detailed plan, including timetables, drawn up for the withdrawal of the Military Component is designed to be implemented with maximum flexibility. Since the extraction will be taking place at the height of the rainy season over severely degraded infrastructure, amid a still uncertain military and security situation, it may be necessary to compress, expand, or otherwise modify the withdrawal plan in response to changing conditions on the ground.

12. The plan is divided into three phases. Phase I - planning and preparation - ends on 31 July 1993. During this period, military personnel of the first group of battalions to be withdrawn will commence physical preparations within their sectors. The two succeeding phases are each, in turn, divided into stages. In phase II (1-31 August; stages 1 to 5), as each infantry battalion successively withdraws, along with the related field hospitals, engineering and other units, the infantry battalion in the neighbouring sector will redeploy to cover the vacated sector. In phase III (1 September-15 November; stages 6 to 10), the remaining UNTAC elements are successively to withdraw completely from the country. The withdrawal will be staged via Thailand, Sihanoukville or Phnom Penh. In addition, the Socialist Republic of Viet Nam has been approached concerning permission to use its territory for the purposes of withdrawal.

13. The first three stages of phase II will take place concurrently starting on 1 August 1993. During that period, the Uruguayan battalion and an Indian forward field hospital will withdraw from the north-eastern provinces of Stung Treng, Ratana Kiri, Mondol Kiri and Kratie; the Bulgarian battalion will withdraw from the south-central provinces of Kompong Speu and Kandal; and the Tunisian battalion will withdraw from the south-western provinces of Pursat and Kompong Chhnang. As they do so, the Indian, French and Malaysian battalions, respectively, will redeploy to cover the vacated provinces.

14. By the end of August, the Bangladesh battalion will have withdrawn from Siem Reap Province in the north; the Pakistani battalion will withdraw shortly after the end of August from Preah Vihear Province. Personnel from the Dutch and Indonesian battalions will be extending their coverage into those two provinces. At the same time, the forward field hospital in Siem Reap, the Polish engineering detachment and the Chinese engineering battalion will also be withdrawn.

15. Phase III, comprising stages 6 to 10, will involve the successive withdrawal of the Indian battalion, the Malaysian battalion, the forward field hospital at Battambang, the Japanese engineering battalion and the Namibian mine-resistant vehicle detachment. This will then be followed by the withdrawal of the Dutch battalion, the Thai engineering battalion (by road) and a number of logistics elements, while the French and Indonesian battalions will regroup into smaller sectors. The final two stages involve the withdrawal of the two Indonesian battalions, the Ghanaian battalions, the French engineering company, the French battalion and the remaining logistics and medical elements.

16. The withdrawal of the headquarters staff, the Communications Unit, United Nations Military Observers (UNMOs) and the United Nations Naval Observers (UNNOs) will take place as their tasks are completed. As infantry and other battalions are withdrawn and others are extended to cover the evacuated sectors, UNMO and UNNO teams in the affected provinces will progressively regroup into provincial towns and check-points and be reduced in number. The final withdrawal of all UNTAC personnel is planned to be completed by 15 November 1993.

B. Civilian Police Component

17. The plan for the withdrawal of the 3,500 officers of the Civilian Police Component, which has already commenced, will be effected in three phases. Between 1 July and 1 August 1993, 1,100 officers will be repatriated; between 2 and 28 August, 1,100 more will be repatriated; and the remaining 1,300 will be withdrawn between 29 August and 30 September.

18. The considerations which affect the timing and modalities of the withdrawal of the Civilian Police Component differ somewhat from those affecting the extraction of the military. Civilian Police units, because of the nature of their work, and unlike military units, are made up of officers of different nationalities throughout the provinces. At the time of their extraction, however, for logistical and financial reasons, they will be withdrawn as national contingents.

19. Furthermore, the Civilian Police withdrawal plan is subject to security considerations. Since the officers are unarmed, they, as other civilian staff, rely on the Military Component for protection against armed attack or threat. Accordingly, as the Military Component withdraws from the district level in areas considered unsafe, the Civilian Police will do likewise. The Component will remain at its current strength in the provincial capitals until the end of the mandate and will continue, where conditions permit, to operate patrols outside the provincial capitals.

C. Other Civilian Components

1. Human Rights

20. The Human Rights Component will continue to fulfil its mandate until the termination of the UNTAC mandate at the end of August 1993. It will pursue allegations of human rights violations and political intimidation, as well as increasing its human rights training activities. Extensive training for the police and the judiciary is planned in July and August. In addition, the Component, in conjunction with the Information Division, will prepare further programmes on human rights for radio and television.

21. One of the major tasks of the Human Rights Component in Phnom Penh will be to prepare for the operational presence of the Centre for Human Rights in Cambodia, as mandated by the Commission on Human Rights at its session in February 1993. The Centre is scheduled to become operational on

1 September 1993. A delegation from the Centre visited Cambodia in early June to prepare for the hand-over process and to discuss its operational needs.

22. Currently the Component has some 15 Professional staff in Phnom Penh and 18 Professional staff, with training assistants, in the provinces. Six Professional staff have left the Component to date; a further eight staff members are to leave by the end of July; and the remainder are scheduled to remain until the end of August.

2. Electoral

23. Most of the 963 International Polling Station Officers (IPSOs) were repatriated immediately after the polling and counting of ballots, between 31 May and 5 June 1993. Two hundred and seventeen Polling Officers and 41 fingerprint and handwriting experts were retained for the tendered-ballot count and left between 7 and 15 June. The bulk of the remaining international electoral staff - some 420 District Electoral Supervisors recruited by the United Nations Volunteer Service - departed the mission by 15 June. This left a skeleton staff of 16 officers in Phnom Penh, including the Chief Electoral Officer and three members of the Operations and Computer staff. They will be available to advise on the complaints of the Cambodian People's Party (CPP), which are being dealt with by the Special Representative's Electoral Advisory Committee, referred to above, and to assist with the establishment of the Constituent Assembly and, if requested, with its work on the Constitution. They will leave when the UNTAC mandate expires. Eight other officers currently in their posts will leave at the end of July.

3. Civil Administration

24. Before the elections, the main aim of the control Civil Administration Component exercised over the five fields specified in the Paris Agreements was to ensure a neutral political environment conducive to free and fair elections. However, the expertise thus gained is considered vital to promoting stability during the remainder of the transitional period. The Component is therefore streamlining its activities to help ensure a smooth transition from the existing administrative structures to the new Government and adapting its control functions accordingly.

25. Thus, at the provincial level, Civil Administration staff will, inter alia, maintain their contacts with the personnel of the existing administrative structures; promote dialogue and national reconciliation; monitor any sale, transfer or disposal of public assets; follow up on any allegations of human rights violations or political intimidation; maintain close contact with and facilitate the work of United Nations agencies and programmes; and assist in the closure of UNTAC offices at the provincial level, including the retrieval and/or disposal of UNTAC property.

26. On the national level, Civil Administration staff are focusing their efforts on, inter alia, the judiciary and the administration of justice; monitoring the implementation of the SNC moratoria on timber, gems and minerals;

border and customs control; and the control and safeguarding of public funds and State assets.

27. Financial control activities will continue through the transitional period at both the provincial and the national levels. Such activities will be strengthened as regards military expenditure and, as mentioned above, the sale or disposal of public assets.

28. Of the 172 international staff of the Component that remain, 115 are located in the provincial capitals, including the municipality of Phnom Penh, and at the border checkpoints. The remaining 57 are based at UNTAC headquarters. Some 32 staff will be leaving on or before the end of July, but most of the rest will continue to work throughout the month of August until the end of the mission.

4. Rehabilitation

29. For the remainder of the transitional period, the Rehabilitation Component will be concentrating on the implementation of small-scale rehabilitation projects yielding quick results. Over the past three months, more than 150 such projects at an estimated cost of $1.7 million addressing immediate and highly prioritized needs have been compiled. These projects involve the repair and maintenance of public utilities and education and health facilities to improve the quality of life in the countryside. Most projects are highly labour-intensive, thus creating jobs at a time of scarce employment opportunities, and will especially benefit rural communities in northern and eastern Cambodia which have so far been only marginally touched by any form of development assistance.

30. Donor response to the Rehabilitation Component's initiative to implement small-scale quick-impact projects was relatively positive after the election had taken place, while in the period leading up to the election, donors generally expressed great reluctance to support implementation of rehabilitation activities. As a direct response to the Rehabilitation Component's own initiative with the donor community in Phnom Penh and Bangkok, a total of about $600,000 was pledged. It is increasingly evident, however, that this important activity will not be completed by the end of August, and that arrangements will need to be made to ensure its successful completion.

31. With regard to the withdrawal plan for the Rehabilitation and Economic Affairs Component, 4 staff members are scheduled to leave by 31 July, 5 by 15 August, 3 by 22 August and the remaining 17, at this stage, by the end of UNTAC's mandate.

5. Information/Education Division

32. One third of the Information/Education Division's 45 staff had been released by 30 June 1993, and a further four were due to leave by the end of July. Many of the remaining 25 or so staff members are engaged in radio and television production. They will continue to produce programmes on human rights education and reconstruction and development until the end of the mission. Some

will also remain on hand to document UNTAC's final winding-up and departure. The Division's control function will be devoted mainly to promoting the free flow of information and opinion.

6. Other UNTAC civilian staff and equipment

33. All other civilian personnel, except those required for the liquidation process, will leave the mission upon the expiry of the mandate or shortly thereafter. The liquidation team will complete its work as expeditiously as possible and will deal with all aspects relating to UNTAC assets in the mission area. A separate report on the disposal of UNTAC equipment has been submitted for consideration by the Advisory Committee on Administrative and Budgetary Questions (ACABQ).

III. PREPARATIONS FOR THE POST-UNTAC PERIOD

34. Cambodia still faces enormous problems of security, stability, mine clearance, infrastructure improvement and general economic and social development. Despite the positive developments of the last few weeks, the political-military situation remains fragile and the task before the new Government can be expected to be difficult and challenging. Cambodia will clearly require continued international assistance and support.

35. I believe it is important that any future assistance provided by the United Nations be clearly separate from the UNTAC presence. UNTAC was established as an operation with a clearly defined mandate and duration and specific resources. It has performed its function creditably and has now begun the process of withdrawing. UNTAC will soon cease to exist.

36. Various programmes and agencies of the United Nations system, as well as international financial institutions, will be prepared, in consultation with the Cambodian Government, to continue to play their traditional role in rehabilitation, reconstruction, development and humanitarian assistance. In this context, the international community should accelerate delivery of assistance already pledged and consider urgently what further assistance might be provided to the Interim Administration and later to the new Government. It is also vitally important to ensure a smooth transition from UNTAC's rehabilitation efforts to post-UNTAC United Nations activities in this area. The UNTAC Rehabilitation Component is already actively engaged in consultations to achieve this objective.

37. In addition, a continued human rights presence has been mandated both under the Paris Agreements and by a decision of the Commission on Human Rights (see para. 21 above). The United Nations could also undertake, with the concurrence of the new Cambodian Government, mine clearance, which will continue to be a major need for years to come.

38. The question of maintaining a small post-UNTAC United Nations military presence has been raised from time to time. The Cambodian Government will, of course, be in a position to make bilateral arrangements, if it so chooses, in respect of assistance in forming unified national armed forces. However, should

the Government request the stationing of a small number of United Nations Military Observers in Cambodia for a limited period as a confidence-building measure and to monitor and report on the security of its borders, the Security Council will no doubt consider such a request at the appropriate time. Such an observer presence could also be utilized to supervise any demobilization of armed forces should such agreement be reached among the Cambodian parties.

39. Whatever the types of assistance requested from the United Nations, I am convinced that it should be provided in a well coordinated and integrated manner. An interim office, along the lines of those I have established elsewhere, would be particularly appropriate in Cambodia as an instrument of post-conflict peace-building. The head of such an office would maintain dialogue with the new Government and facilitate coordination of various assistance programmes to ensure maximum effectiveness while respecting the normal responsibilities of various offices, programmes and agencies in their respective fields. The establishment of such an office, following the unprecedented UNTAC endeavour which is now coming to a conclusion, would serve as a symbol of United Nations continuing commitment to a peaceful future in Cambodia.

IV. OBSERVATIONS

40. In conclusion, I wish to assure the Security Council that UNTAC will continue to discharge its tasks fully and faithfully until the end of its mandate and to do everything possible to assist the Cambodian parties to consolidate the positive results of the election and complete the process of adopting a Constitution and establishing a new Government in accordance with the Paris Agreements. I am convinced that, upon the conclusion of UNTAC's mandate, the international community will respond generously to Cambodia's needs as it continues the difficult process of rebuilding the nation after years of strife and devastation. The United Nations system stands ready to play its role in this effort.